UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/C.5/49/53
12 December 1994

ORIGINAL: ENGLISH

Forty-ninth session
FIFTH COMMITTEE
Agenda item 107

PROGRAMME BUDGET FOR THE BIENNIUM 1994-1995

Section 21. Human Rights

Report of the Secretary-General

1. By resolution 48/141 of 20 December 1993, the General Assembly decided to create the post of the United Nations High Commissioner for Human Rights (para. 1), defined his responsibilities (para. 4) and decided that the Office of the High Commissioner should have a liaison office in New York (para. 6). In connection with the adoption of this resolution, the Secretary-General submitted a statement of programme budget implications (A/C.5/48/61) indicating that, while the High Commissioner would draw on the resources of the Centre for Human Rights to fulfil his tasks, a number of additional posts would nevertheless need to be established - one Under-Secretary-General, two P-5 and three General Service posts - and operational funds would be requested, totalling $1,471,400. The General Assembly did not appropriate the funds requested. It authorized the Secretary-General to enter into all the commitments necessary within the above amount in respect of the full implementation of the activities envisaged in resolution 48/141 and decided to consider such additional appropriation as may be necessary and not to exceed $1,471,400 at its resumed forty-eighth session.

2. By resolution 48/121 of 20 December 1993, the General Assembly endorsed the Vienna Declaration and the Programme of Action adopted by the World Conference on Human Rights on 25 June 1993. In the related statement of programme budget implications (A/C.5/48/46), the Secretary-General indicated that an appropriation of $1,167,500 would be required for the Centre for Human Rights for the establishment of one P-5, one P-4 and two General Service posts and for operational funds to enable the Centre to carry out the Programme of Action. The General Assembly did not appropriate the funds requested. It authorized the Secretary-General to enter into all the commitments necessary within the above amount in respect of the full implementation of the activities envisaged in the

resolution and to consider such additional appropriation as may be necessary and not to exceed $1,167,500 at its resumed forty-eighth session.

3. At the resumed session, the Secretary-General prepared a report on the staffing and functions of the Office of the United Nations High Commissioner for Human Rights and of the Centre for Human Rights (A/C.5/48/77). The report was prepared in response to resolution 48/228, of 23 December 1993, which requested the Secretary-General to provide to the General Assembly at its resumed session the information which the Advisory Committee on Administrative and Budgetary Questions had requested in its report on the proposed programme budget for the biennium 1994-1995 (A/48/7). The Advisory Committee had requested information on the questions of redeployment, conversion and creation of posts and indicated that this information should include a clear table indicating current posts, the precise description of the functions to be performed with regard to 55 posts (24 new, 19 redeployed and 12 converted), an explanation of the programmatic justifications of the redeployment and an update of what was going on in the Third Committee with regard to the Vienna Conference.

4. The report of the Secretary-General provided the information requested. It included, in an annex, a comprehensive list of every post by organizational unit, indicating the status of each post, its functions and the related subprogramme.

5. The report also indicated that the High Commissioner for Human Rights had been appointed and had taken up his duties on 31 March 1994 and that, in the limited amount of time since his appointment, it had not been possible for him to complete a review of the current organizational arrangements for his Office in particular and for the Centre as a whole and to fully assess his requirements. In the light of experience gained in the forthcoming months, additional proposals, as necessary, would be submitted to the General Assembly at its forty-ninth session.

6. The Advisory Committee for Administrative and Budgetary Questions, in its report (A/48/7/Add.10), considered that the information contained in the report of the Secretary-General represented a partial response to the questions previously raised by the Committee and requested by the General Assembly in its resolution 48/228. The Advisory Committee therefore recommended that additional information be provided to the Committee: on the organizational and resource relationship between the Centre and the Office of the High Commissioner, and an organizational chart indicating the entire staffing complement of the Centre for Human Rights, including the staff resources proposed by the Secretary-General for the High Commissioner and for the implementation of the Vienna Programme of Action.

7. The Advisory Committee stated that upon receipt of the additional information, and the finalization of the assessment of the High Commissioner's requirements, the Committee would revert to the consideration of the staffing and functions of the Office of the United Nations High Commissioner for Human Rights and of the Centre for Human Rights.

8. In its decision 48/494 of 29 July 1994, the General Assembly took note of the report of the Secretary-General (A/C.5/48/77) and the related report of the

Advisory Committee (A/48/7/Add.10) and decided to defer consideration of the question to its forty-ninth session.

9. In keeping with paragraph 4 of resolution 48/141, the High Commissioner for Human Rights ensures the overall supervision of the Centre for Human Rights, which remains the principal unit of the Secretariat dealing with human rights matters. The High Commissioner and the Centre represent a unity whereby the High Commissioner sets the policy directions and the implementation of those policies is carried out by the Centre under the direction of the Assistant Secretary-General.

10. The High Commissioner is responsible for developing a comprehensive United Nations system-wide strategy for the promotion and protection of human rights; establishing dialogues with Governments in order to promote and protect all human rights, facilitate the ratification of international human rights instruments and rationalize the human rights machinery and procedures; and promoting cooperation and complementarity with national, regional and international organizations active in the field of human rights, including non-governmental organizations and academic institutions.

11. The High Commissioner is also responsible for coordinating human rights matters and seeking to achieve a coherent approach in the implementation of human rights policies within the United Nations system and within programmes or funds having significant human rights related activities; coordinating the development of comprehensive United Nations programme of technical and financial assistance in the field of human rights; providing policy guidance and priority of action for the implementation of the human rights objectives in the Vienna Declaration and Programme of Action and reporting yearly to the Commission on Human Rights and the General Assembly on the implementation of the Vienna Declaration and Programme of Action.

12. The Assistant Secretary-General directs the activities of the Centre for Human Rights under the overall policy guidance of the High Commissioner; ensures substantive servicing of the Commission on Human Rights, its subsidiary organs and the bodies established under human rights treaties; provides substantive support to the High Commissioner in terms of policy analysis and research to assist in the development of policies and initiatives for system-wide coordination of human rights matters; identifies obstacles to the full realization of all human rights and makes policy recommendations to the High Commissioner; establishes and maintains contacts with Governments of the States members of the Commission on Human Rights and related legislative bodies, as may be required for the implementation of the mandated programme of work of the Centre; oversees the implementation of the Centre's programme of work and ensures that it is efficiently and effectively executed; and represents the Centre at seminars, colloquiums and other meetings.

13. The organizational chart in the annex provides information on posts, including those proposed for the High Commissioner and for the implementation of the Vienna Programme of Action.

14. The requirements for the High Commissioner as outlined in the statement of programme budget implications submitted to the forty-eighth session of the

General Assembly consisted of six posts - one at the Under-Secretary-General level, one P-5 as Special Assistant and two secretaries in Geneva, one P-5 and a secretary in New York for the liaison office referred to in paragraph 6 of resolution 48/141 - and travel funds in the amount of $50,000.

15. On the basis of experience, as referred to in paragraph 5 above, it is now proposed that nine posts be provided. These would consist of two P-5. One would act as an adviser to the High Commissioner, in particular with respect to enhancement of international cooperation on human rights and the provision of advisory services and technical assistance through the Centre and other appropriate financial institutions; assist in the rationalization of the human rights machinery; assist in establishing contacts with Governments and with regional and national institutions in connection with the High Commissioner's mandate, particularly in Europe, Asia and the Pacific; represent the High Commissioner, as appropriate, at official meetings, and undertake specific assignments in connection with the High Commissioner's mandate.

16. The other P-5 would act as adviser to the High Commissioner, in particular with respect to the promotion and protection of all human rights, including the right to development and the removal of current obstacles to the realization of human rights; assist in the coordination of human rights issues within the United Nations system; assist in the coordination of education and public information programmes in the field of human rights; assist in establishing contacts with Governments, regional intergovernmental organizations or national institutions, particularly in Africa and the Americas, and represent the High Commissioner, as appropriate, at official meetings and undertake specific assignments in connection with the High Commissioner's mandate.

17. A special assistant (P-4) would assist the High Commissioner in all activities for which he has responsibility, in keeping with his mandate. The Special Assistant would ensure effective coordination of action on information and external relations functions and maintain contacts with missions and other institutions. The Special Assistant would oversee the organization of the immediate office of the High Commissioner and would ensure the preparation of correspondence, statements, memoranda and other documents and reports, in keeping with the High Commissioner's policies. The Special Assistant would also assist the High Commissioner in administrative and financial matters, as appropriate. Assistance would be provided by three secretaries.

18. A D-1 would be the chief of the New York office for human rights. The Chief would maintain liaison with regional and national institutions and educational and academic communities in the Americas. The Chief would also maintain permanent contacts with the High Commissioner and the Centre on developments at Headquarters that have a bearing on human rights policies and would suggest possible courses of action. The Chief would also assist the High Commissioner in his task of coordination with New York-based secretariat units and agencies. The Chief would be assisted by a secretary. There would be one New York office for human rights which would, in addition to the post mentioned, consist of the posts currently in the liaison office of the Centre for Human Rights, namely, one P-4 and three General Service.

19. An amount of $50,000 was envisaged for the travel of the High Commissioner. On the basis of experience, this has proven to be inadequate. A sum of $220,000 is proposed. In addition, an amount of $100,000 would be required for operating expenses.

20. It is estimated that the requirements of the High Commissioner, as defined above, can be met from within the balance of the amount for which the Secretary-General was authorized to enter into commitment, namely $1,471,400. The Secretary-General therefore requests that this amount be appropriated, subject to the guidelines for the use and operation of the contingency fund adopted by the General Assembly.

21. With regard to the amount of $1,167,500 for which the Secretary-General was authorized to enter into commitment for the implementation of the Vienna Declaration, an appropriation is also requested, subject to the guidelines for the use and operation of the contingency fund adopted by the General Assembly.

22. In addition, it should be recalled that the General Assembly, at its forty-eighth session, did not appropriate the resources ($1,834,100) requested by the Secretary-General in his report on the continued United Nations human rights presence in Cambodia (A/C.5/48/78). Instead, the Assembly took note of the recommendations of the Advisory Committee on Administrative and Budgetary Questions contained in its report (A/48/7/Add.12) and authorized the Secretary-General to enter into additional commitments up to $1,834,100 under section 21 of the programme budget for the biennium 1994-1995 for the financing of human rights activities in Cambodia. It is now requested that the General Assembly appropriate $1,834,100, subject to the guidelines for the use and operation of the contingency fund adopted by the General Assembly.

23. In summary, therefore, an appropriation of $4,473,000 is requested under section 21 of the programme budget for 1994-1995, representing the level of resources for which the Secretary-General had initially been authorized to enter into commitments in respect of the Office of the United Nations High Commissioner for Human Rights, the implementation of the Vienna Programme of Action and the United Nations human rights presence in Cambodia.

24. In addition, an amount of $1,022,900 would be requested under section 28, Staff assessment, to be offset by an increase in the same amount under section 1, Income from staff assessment.

ANNEX

Organizational chart